

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin Gerard Fraser

Art Unit: 1791

Serial No.: 10/625,396

Examiner: Yi, Stella Kim

Filed: July 23, 2003

For: METHODS FOR FABRICATING CELLULAR
CUSHIONS

**PETITION TO REVIVE PATENT APPLICATION FOR UNINTENTIONAL FAILURE
TO TIMELY RESPOND TO AN OFFICE ACTION**

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.137(b), Applicant hereby petitions to revive the above-identified patent application, which was unintentionally abandoned due to mail delays during the illness of Applicant. The above-identified application was abandoned for failure to file a timely and proper reply to the Office Action dated September 5, 2008.

The following authorizations and statements are provided in accordance with 37 C.F.R. § 1.137(b):

(1) Applicants file herewith a required response under 37 C.F.R. § 1.137(b)(1) to be the Office Action dated September 5, 2008.

(2) Authorization to charge the petition fee (37 C.F.R. § 1.17(m)) is set forth below in Paragraph (3).

(3) Fees:

- | | | |
|----|------------------------------------|------------------------|
| a. | Petition Fee (37 C.F.R. § 1.17(m)) | \$810.00 |
| b. | TOTAL FEES DUE: | <u>\$810.00</u> |

The Commissioner is hereby authorized to charge payment of the total fees due in the amount of **\$810.00**, any deficiencies in the enclosed fees, or credit any overpayment, to Deposit Account No. 01-2384.

The delay in the filing of the required reply from the due date for the reply until the filing of this Petition was unintentional for the reasons stated above. Therefore, Applicant respectfully requests that the subject application be revived.

Respectfully Submitted,



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